

ANDERSON COUNTY COUNCIL
ANDERSON, SOUTH CAROLINA

Regular Meeting - March 20, 2001 - 6:00 p.m.

Linda N. Gilstrap, Clerk to Council

M I N U T E S

All area newspapers, radio stations and television stations were informed of this meeting in compliance with guidelines set forth in the *Freedom of Information Act*.

PRESENT

Chairman Clint Wright - District #4 - Presiding

G. Fred Tolly - District #1

Gracie S. Floyd - District #2

Larry E. Greer - District #3

Vice Chairman Mike Holden - District #5

William C. Dees - District #6

M. Cindy Wilson - District #7

Joey Preston - Administrator

Tom Martin - County Attorney

Linda N. Gilstrap - Clerk to Council

Tammie Shealy - Assistant Clerk to Council

The official meeting of the Anderson County Council convened in the Council Chambers of the Historic Courthouse on Tuesday, March 20, 2001 at 6:00 p.m.

Ms. Gracie Floyd gave the invocation and everyone stood and pledged allegiance to the flag.

On the motion of Mr. Tolly, seconded by Mr. Greer, Council voted unanimously to approve the minutes from the February 27, 2001 and March 6, 2001 meetings as mailed.

Citizens' Comments: Mr. Richard R. Childers spoke to Council regarding excessive gunfire in his neighborhood. He said on December 5, 2000 he

attended a Council meeting and a couple of citizens spoke on his behalf that were affiliated with the NRA (Gary Seay and Ed Chandler). They asked Council to help them out with their problem and the minutes never reflected this. He asked for some help and relief and why he has not been given any assistance. Ms. Donna Childers of 641 Osteen Road, Piedmont said that she had lived at the residence for 28 years and it had always been a quiet, peaceful community until this illegal gun range started. She said that she couldn't get the noise ordinance of Anderson County enforced and asked Council for their help to get the ordinances enforced.

Ms. Gracie Floyd stated that on Saturday she had the privilege of meeting Mr. Luke Mirrorson and Mr. Stephen Busman from Belgium. She said that they were in Anderson working with the Sheriff's Department doing a seminar on the Sheriff's patrol, tracking, and drug dogs. Capt. John Skipper introduced Spider Littleton who gave Council and the public a brief demonstration of how Dash the hazardous material dog performs. Dash located a planted explosive device (fake) that was hidden in the Council Chambers. Council applauded the young men for their presentation.

Ms. Vaughnde Morris announced that the County of Anderson has held an Alzheimer's Bowl A-Thon for the last 13 years. She said that for the 2001 Bowl A-Thon the County won a trophy for being the Company to raise the most money and also had the highest individual to raise the most money. She presented County Employee Ms. Marlene Hanks a trophy for raising almost \$3,000. Ms. Cindy Alewine also thanked the County for helping with raising the funds for the Alzheimer's Association.

Mr. Michael Cunningham introduced Mrs. Sharon Dill of the Planning Division as Employee of the Month for February 2001. She was presented an Employee of the Month certificate, shirt, plaque, one free vacation day, gift certificate to a local restaurant. Council commended Mrs. Dill for her outstanding job performance.

Mr. Tom Martin presented first reading of Ordinance #2001-009 - an ordinance amending in certain limited particulars, Article 10 of chapter 70 of

the Anderson County Code of Ordinances pertaining to amendments to Anderson County Zoning, as previously amended by Anderson County Ordinance #2000-069; and other matters related thereto. Mr. Martin explained that this ordinance was needed to address a situation at the request of Mr. Larry Greer, for precincts that consist of both incorporated and unincorporated areas. Mr. Larry Greer moved to approve on first reading and Mr. Bill Dees seconded the motion. Ms. Floyd stated that she would support the ordinance on first reading, however, she had questions concerning the ordinance and may have more questions by second reading. Vote was unanimous.

Mr. Tom Martin presented first reading of Ordinance #2001-010 - an ordinance acknowledging receipt of notice and a copy of an assignment of lease and options to purchase between Plastic Omnium Industries, Inc. and P & B Automotive, LLC, (Now Plastic Omnium Auto Exteriors, LLC) and consenting to such assignment; acknowledging receipt of notice and a copy of a business property sublease between Plastic Omnium Auto Exteriors, LLC and Inergy Automotive systems (USA), LLC and consenting to such sublease; acknowledging receipt of notice and a copy of a contribution, conveyance, assignment and assumption agreement by Inergy automotive systems (USA), LLC, Solvay America, Inc., Solvay Automotive, Inc. and Plastic Omnium Industries, Inc. and consenting to such assignment; approving certain amendments to that lease agreement dated December 15, 1999 by and between Anderson County and Plastic Omnium Auto Exteriors, LLC, and approving certain amendments to that lease agreement dated December 15, 1999 by and between Anderson County and Plastic Omnium Industries, Inc. Mr. Tolly moved to approve on first reading and Ms. Floyd seconded. Mr. Holden stated that he had a problem with the ordinances that pass the Fee in Lieu on down the line when companies are sold. He would like to request that a member of the company be available at the next meeting to answer questions. Vote was unanimous.

Mr. Joey Preston presented Resolution #R2001-011 - a resolution supporting and ratifying the submission by the Anderson County Regional Airport of a grant application (5.7 million dollar grant) to the Federal Aviation Administration for an Airport Improvement Grant; committing previously budgeted matching funds as required

by the grant; and other matters related thereto (for a 1,000-foot runway extension project). Mr. Holden moved to approve and Ms. Floyd seconded. Vote was unanimous.

Council held a moment of silence in memory of Mr. Melvin Jewell a long time member of the Anderson Airport Commission who passed away this week.

District #2 Appointments: Ms. Floyd moved to make the following appointments:

Board of Assessment Appeals - Mr. Jack McIntosh - Mr. Tolly seconded and vote was unanimous.

Broadway Lake Commission - Mr. Elliott Holman - Mr. Tolly seconded and vote was unanimous.

Human Relations Council - Ms. Sheila Ford - Mr. Greer seconded and vote was unanimous.

District #1 Appointments: Mr. Tolly moved to make the following appointments:

Human Relations Council - Mr. John W. Brown - Mr. Greer seconded and vote was unanimous.

Citizens Zoning Advisory Group - Mr. Jim Hertig - Mr. Greer seconded and vote was unanimous. Mary Harris Skeen - Ms. Wilson seconded and vote was unanimous, and Mr. Pat Vickery - Mr. Holden seconded and vote was unanimous.

District #5 Appointments: Mr. Holden moved to make the following appointments:

Behavioral Health Services Board - Mr. Robert Edwards - Ms. Floyd seconded and vote was unanimous.

Economic Advisory Committee - Mr. Lloyd Wilson - Mr. Tolly seconded and vote was unanimous.

Economic Advisory Committee - Mr. Robert Foster - Mr. Tolly seconded and vote was unanimous.

Farmers Market Board - Mr. Richard Parks - Ms. Floyd seconded and vote was unanimous.

Airport Commission - Mr. Don Acevedo - Mr. Greer seconded and vote was unanimous.

Human Relations Board - Ms. Faye Wideman - Mr. Tolly seconded and vote was unanimous.

Human Relations Board - Ms. Elaine Eptein - Ms. Floyd seconded and vote was unanimous.

District #3 - Appointments: Mr. Greer moved to make the following appointments:

Human Relations Council - Mr. Datrick Jefferson - Ms. Floyd seconded and vote was unanimous.

EMS Commission - Mr. Mike Gambrell. Mr. Greer stated that he nominated Mr. Gambrell to the EMS Commission last year; however Mr. Gambrell currently resides in another Council district but because of his expertise and with the County fire system of which the EMS system is based, it would be to the County's advantage for Mr. Gambrell to remain on the EMS Commission. Mr. Greer recommended that Mr. Gambrell's term expire on December 31, 2001. Mr. Holden seconded. Mr. Tolly stated that as a matter of protocol for Council; that it would be wise when Council appoints someone out of their district that they get the sanction or okay from the Councilperson that represents the district the nominees come from. Mr. Greer agreed and then asked Ms. Wilson if she approved. She gave Mr. Greer her concurrence. Vote was unanimous.

District #4 - Appointments: Mr. Wright moved to make the following appointment:

Behavioral Health Services Board - Ms. Linda Smith - Mr. Tolly seconded and vote was unanimous.

District #7 - Appointments: Ms. Wilson moved to make the following appointments:

Purchasing Review Board - resubmission of Mr. Ron Smith - Mr. Holden seconded the motion. Vote was two in favor (Wilson, Holden), four opposed (Dees, Tolly, Wright, Floyd) and one abstention (Greer). Motion failed.

Ms. Wilson stated that by rights she could request for Mr. Greer's reason for abstention in writing. She also said that a couple of people had said that the County's Administrator had advised them that Mr. Smith had been forced to resign and he was not. She also said that she understood that the Administrator requested of Mr. Smith that he write negative evaluations of employees; rather than not comply he simply resigned. Mr. Preston asked to respond to Ms. Wilson's remarks. He said that that was ABSOLUTELY not true.

She then moved to nominate Mr. Tommy Walls to the Purchasing Review Panel. Mr. Holden seconded and vote was unanimous.

Mr. Greer asked Ms. Wilson if she requested something in writing as to why he abstained on Mr. Smith's nomination. She replied that according to *Robert's Rules of Order* that this is appropriate and allowable. Mr. Greer stated that in his opinion for Council to discuss or put into writing comments concerning committee appointments approaches a personnel matters which should only be considered in Executive Session and he would refuse to put in writing or comment publicly on any appointee in my decision to vote for, against, or abstain on those appointments.

District #7 - Citizens Zoning Advisory Committee - Ms. Debra Williams - Ms. Floyd seconded and vote was unanimous.

District #7 - Citizens Zoning Advisory Committee: Replace Mr. Mike Gambrell with Mr. Wade Gambrell - Mr. Tolly seconded and vote was unanimous.

Mr. Tolly removed the next item from the agenda (#7 (a) Recreation Fund Appropriation - Mr. Fred Tolly).

Ms. Cindy Wilson stated that two weeks ago there was an accident in Williamston and Mr. Jerry Shealy was so prompt doing research on the problem. She asked Mr. Shealy to come forward and describe what the solution was. Mr. Shealy explained that the department took a look at the old policy when the rescue squads were totally volunteer. Then when a call was dispatched the dispatcher would wait three minutes after initiating the call; if that squad didn't respond then another squad would be dispatched. If

that squad did not respond then they would dispatch another squad. This case was similar to this problem in that the County had squads that were out on calls. A policy has been developed that would eliminate the waiting period and the dispatcher would automatically maintain track of what units are on calls and the status of the calls.

Ms. Cindy Wilson asked County Council and County Staff to work on a resolution honoring Mr. Mel Jewell a long time member of the Airport Commission.

Ms. Wilson said there was a letter sent to the Administrator and copied to Council Members in reference to a minor problem at the Airport concerning the availability of the fuel truck to the aircraft owners in tiedowns and hangar areas. Ms. Wilson recommended that since the Airport Commission did a lot of homework in regards to this that County Council go ahead and implement the recommended change. Mr. Wright said that there were questions regarding cost with the Airport and the Administrator is in the process of gathering information based on the request. Mr. Preston said that today he had received a letter from the Airport Director concerning the request and the county is still in the process of gather information and he was not prepared to make a recommendation. Mr. Wright stated that he would prefer to see the entire report and all information before a vote is taken and this could be put on the next agenda for action. Ms. Floyd said she was not ready to vote on the issue at this time. Ms. Wilson moved that County Council go ahead a resolve the problem. Mr. Greer seconded for a point of discussion. Mr. Greer asked Mr. Preston how the Airport currently offers the sale of fuel. Mr. Preston asked Mr. Mike Shouse to report on this. He said the Airport currently has a policy of designated refueling areas; one is in front of the community hangar where the Airport houses several different individual aircraft owners and one is in front of the terminal area. The policy was developed through review of a County ordinance, which restricts the fueling of aircraft. If the county is to consider the motion it will also require a change in County ordinance. There is the issue of an additional employee to be hired and the numbers in your information provided in roughly \$19,500 for this additional staffing, he reported. Also the County does not believe that a 55%

increase in fuel sales for that particular product would pay for the additional staffing. There are also business risks addressed in the packet. Mr. Greer asked Mr. Shouse how the County could recoup this if the County wanted to do this at a break-even cost. Mr. Shouse said that the County would have to sale an additional 36,800 gallons of fuel to justify the request. Mr. Greer asked Mr. Shouse if it was possible to recoup any additional costs from a service fee charged to the owners, operators, etc. of these planes. Mr. Shouse said that this was not a conventional manner in which to deliver or sale fuel. Mr. Greer asked Mr. Martin under Home Rule was Council the policy maker and the Administrator is to handle Administrative matters; would this decision regarding the fueling of planes and where to fuel them fall under policy matter or administrative. He replied he believes it would fall under both. Council would first have to change the County Code and the Administrator would have to administer that as directly by County Council, Mr. Martin stated. Mr. Greer asked if Council acted on the motion would it actually be first reading of an ordinance. Mr. Martin replied yes. Ms. Wilson restated her motion that Council direct staff to write an ordinance that would bring the two codes into alignment. Mr. Greer seconded. Vote was two in favor (Wilson, Wright) and five opposed (Floyd, Dees, Holden, Floyd, Greer). Motion failed.

Ms. Wilson stated that she received a packet from the Administrator in regards to the Airport Managers' expenses and it appeared to be only a small section of her request. She then asked for all the expenses (cell phone, credit card, and etc) of Mr. Shouse's since he took over.

Mr. Greer stated that he had received a request from the Town of Iva for grading and stone around the Iva wastewater lagoons. He stated that in 1998 an appropriation was made from District #3 paving funds in the amount of \$2000 for matching funds for a grant to an organization in the Town of Iva. The grant was never matched and he moved that the \$2,000 be transferred back into his regular paving account from the matching monies. Mr. Holden seconded and vote was unanimous.

Mr. Greer moved to appropriate up to \$5,000 for grading and stone for the wastewater lagoons in the Town of Iva. Mr. Tolly seconded and vote was unanimous.

Ms. Floyd stated that the City of Anderson had approached her with the possibility of the County assisting them with paving of a walking track at the Jim Ed Rice Center Community. She moved that the County do the work of paving the walking track and parking area for them. The County will spend up to \$11,000 from District #2 paving account. Mr. Holden seconded and vote was unanimous.

Mr. Holden moved to appropriate \$2,800 from District #5 Recreation funds for a Cheddar Youth Association project. Mr. Tolly seconded and vote was unanimous.

Ms. Floyd stated that someone "dropped the ball" on the shooting range complaint and she promised that she would look further into the problem.

Mr. Tolly announced that his mother, Ruth Ann Tolly was 100 years old.

ADMINISTRATOR'S REPORT:

(a) Certificates and Training:

1. Mr. Gerald Shealy - "Severe Weather Warning and Coordination", Emergency or Disaster Course "Who's in Charge Here", Emergency Operations Center (EOC) Management and Operations Workshop, State and Local Continuity of Government Workshop, South Carolina Emergency Management Conference
2. Mr. Merrell Lynn Hinchman - Associate in Public Service
3. Officer Roger D. Hunnicutt - Class Leader Award/Graduation
4. Mrs. Angela R. Bryant - National Fire Academy Course and Accident Investigation and Risk Management for Supervisors

(b) Letters of Appreciation:

1. For: Mr. Holt Hopkins, Anderson County Transportation Director From: Mayor Earl Meyers, Town of Honea Path
2. For: Mr. Preston From: West Anderson Water Company

3. For: Mr. Aaron Smart, Mr. Robert Mattison, Mr. Roger Swaney, Mr. Isaiah Viney, Mr. Owen Martinson, Mr. Roman Lobato, Mr. Smokey Jarrard and Mr. Larry Shaw From: Mr. William Warner
4. For: Public Safety 911 Tour From: Pack 20-Belton Ms. Sandra Thomas & Boys
5. For: Mr. Michael Cunningham and Mr. James McAdams From: Mr. John W. Brown
6. Thank you to Councilman Larry Greer From: Mr. Frankie Jones, Honea Path Recreation Department for help with repairs on T-Ball Fields

(c) Minutes:

1. Anderson County Safety Advisory Committee
2. Anderson Sports & Entertainment Center
3. Anderson County Transportation Division Safety Meeting (February 23, 2001)
4. Anderson County Transportation Division Safety Meeting (March 9, 2001)
5. EMS Commission

(d) Reports:

1. Road Maintenance Litter Report - Feb. 19 through Mar. 2, 2001
2. Detention Center Litter Report - Feb. 5 through Feb. 23, 2001
3. Anderson County Public Safety October Training
4. Anderson County Public Safety Environmental Enforcement
5. Anderson County Public Safety Monthly Number of Calls

(e) Mayfair Mills, Inc.

(f) Anderson Regional Airport - Santee Cooper

(g) New Library article

(h) Senate Bill 35

(i) Charter Communications

(j) Taxes Collected at Powdersville

(k) Fee-In-Lieu Payments for Tax Year 2000

(l) Blue Cross Agreement

(m) The State - Billboard battle heats up in Richland

There being no further business, Council adjourned at 7:30 p.m.

Respectfully submitted,

Linda N. Gilstrap, Clerk
ANDERSON COUNTY COUNCIL